

Exhibit A



Warner Norcross & Judd LLP

July 3, 2020

Via Email and Federal Express

Doll N Burgers LLC/Doll N Burgers Tecumseh LLC
Attn: Justin Dalenberg
411 E Chicago Blvd
Tecumseh, Michigan 49286

Re: Infringement of In-N-Out Burgers' Trade Dress

Dear Mr. Dalenberg,

We are reaching out on behalf of our client, In-N-Out Burgers ("In-N-Out"), that owns and operates the famous restaurant chain "In-N-Out Burger" in this matter. In-N-Out was founded in the 1940's and now has over 350 restaurant locations. In that time, our client has developed an iconic "look and feel" for its restaurants that is recognized by the consuming public throughout the country. This trade dress represents the goodwill and reputation of In-N-Out and is an extremely valuable asset of our client. In-N-Out owns United States Trademark Registration No. 4839216 covering a portion of that trade dress.

We have become aware that your new restaurant mimics In-N-Out's well-known look and feel in a way that cannot be anything but intentional. While our client is flattered that you would want to make your restaurant look like an In-N-Out restaurant, by doing so, you are creating a likelihood that the consuming public will be confused that your restaurant is one of our client's restaurants, is affiliated with our client, or is a new extension of our client's brand. Additionally, by using our client's look, you are diluting the important value of that trade dress to In-N-Out and blurring the recognition of that look and feel with our client. The elements that you have copied from our client that will cause such confusion and dilution include the following:

- The color scheme, including the use and placement of red and white and even using a splash of yellow or gold in your logo, just like our client
- The layout and colors of your restaurant including the primarily white exterior with a low red stripe and red awnings, red and white interior décor including white counter featuring a stripe in red with a black countertop similar to the In-N-Out grey countertop, red cushioned chairs and red table tops, and grey floor tiles
- The red and white theme and layout of your menu including a horizontal line of boxes featuring combo meals at the top

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Doll N Burgers LLC/Doll N Burgers Tecumseh LLC

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- White cups with red graphics featuring a line of cow heads in the same fashion as our client uses a line of palm trees
- Employee uniforms featuring white collared shirts, red aprons, and red and white paper hats
- Using open ended burger wrappers
- The use of the single letter “N” in the name
- Promoting with a classic cars theme

With all of these similarities, there can be no doubt about your intent to mimic In-N-Out. Even your customers have noticed enough of a similarity to comment on this in social media, as shown in the attachments. We understand that your plan is to make your business a nationwide chain. This only exacerbates the problem and greatly enhances the likelihood of confusion. Our hope is to address this now in the early stages of your business in order to minimize the potential impacts for both you and In-N-Out.

As a result, we must insist that you take all necessary steps to cease your infringement to eliminate the dilution and likelihood of confusion that it causes. We ask that, by July 13, 2020, you provide us with your plan to remedy this situation. This correspondence is an attempt to amicably resolve this matter, and In-N-Out Burgers reserves all rights, claims and remedies that it may have available. We also must insist that you retain and not dispose of any evidence, including records or other documents and things, written or electronic, that pertain to this matter in the event that it results in litigation.

Sincerely,



R. Scott Keller

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